

# HOUSE . . . . . No. 1351

---

## The Commonwealth of Massachusetts

PRESENTED BY:  
**Lewis G. Evangelidis**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:  
An Act Relative to Increasing the Penalties for Breaking and Entering Dwellings During the  
Daytime with Intent to Commit a Felony.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Lewis G. Evangelidis	1st Worcester
Jeffrey Davis Perry	5th Barnstable
Todd M. Smola	1st Hampden
Bruce E. Tarr	First Essex and Middlesex
Christine E. Canavan	10th Plymouth
Richard J. Ross	9th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1390 OF 2007-2008.]

**The Commonwealth of Massachusetts**

---

**In the Year Two Thousand and Nine**

---

**AN ACT RELATIVE TO INCREASING THE PENALTIES FOR BREAKING AND ENTERING  
DWELLINGS DURING THE DAYTIME WITH INTENT TO COMMIT A FELONY.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

1           SECTION 1. Section 17 of Chapter 266 of the General Laws, as appearing in the 2000 Official Edition, is  
2 hereby amended by striking out same and inserting in place thereof the following:

3 (a)Whoever, in the night time, enters without breaking, or breaks and enters in the day time, a building, ship,  
4 vessel, or vehicle, with intent to commit a felony, the owner or any other person lawfully therein being put in fear,  
5 shall be punished by imprisonment in the state prison for not more than ten years.

6 (b)Whoever, in the day time, breaks and enters a dwelling with intent to commit a felony, the owner or any other  
7 person lawfully therein being put in fear, shall be punished by imprisonment in the state prison for life or any term  
8 of years, provided that any sentence imposed under the provisions of this paragraph shall be subject to the  
9 minimum requirements of paragraph (c).